

TRANSMITTAL LETTER			Case No. 11867/23
Serial No. 10/675,577	Filing Date September 30, 2003	Examiner To Be Assigned	Group Art Unit 3721
Inventor(s) August J. Borschke, et al.			
Title of Invention Smokable Rod For A Cigarette			

TO THE COMMISSIONER FOR PATENTS


Transmitted herewith is Information Disclosure Statement (in duplicate), Form PTO-1449, seventy (70) cited references (A1-A70), and return postcard.

- ☐ Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ Petition for a \_\_\_\_\_ month extension of time.
- ☒ No additional fee is required.
- ☐ The fee has been calculated as shown below:

					Small Entity		or	Other Than Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee		Rate	Add'l Fee
Total		Minus			x \$9 =			x \$18 =	
Indep.		Minus			x 43 =			x \$86 =	
First Presentation of Multiple Dep. Claim					+ \$145 =			+ \$290 =	
					Total add'l fee	\$		Total add'l fee	\$

- ☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$\_\_\_\_. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$\_\_\_\_ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

  
Trevor K. Copeland  
Registration No. 50,292  
Attorney for Applicant  
Customer No. Choose Customer No.

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, ILLINOIS 60610  
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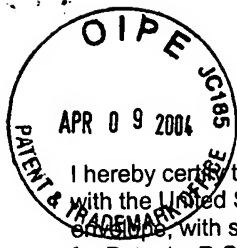
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to:  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 6, 2004.

Date:

4/6/04

Signature:





# **CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope, with sufficient postage, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

April 6, 2004  
Date of Deposit

Trevor K. Copeland, Reg. No. 50,292  
Name of Applicant, Assignee or  
Registered Representative

*Trevor K. Copeland*  
Signature

4/6/2004  
Date of Signature

Our Case No.: 11867/23

## **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

August J. Borschke, et al.

Serial No.: 10/675,577

Filing Date: September 30, 2003

For: Smokable Rod For A Cigarette

Examiner: To Be Assigned

Group Art Unit No.: 3721

## **INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
Alexandria, VA 22313-1450

Dear Sir:

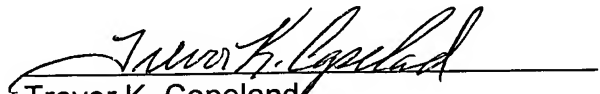
In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents on the attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R. § 1.97(g),(h), this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

This Information Disclosure Statement is being filed prior to the receipt of the first Official Action reflecting an examination on the merits and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these material, the Commissioner is hereby authorized to deduct said fees from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

Applicant(s) respectfully request that the listed documents be made of record in the present case.

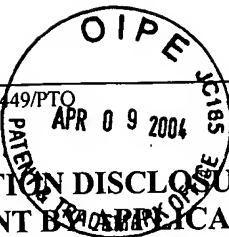
Respectfully submitted,

  
Trevor K. Copeland  
Registration No. 50,292  
Attorney for Applicant(s)

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(312) 321-4200

Substitute for form 1449/PTO  
(Revised 04/2003)

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
(Use as many sheets as necessary)



Complete if Known	
Application Number	10/675,577
Filing Date	September 30, 2003
First Named Inventor	Borschke <i>et al.</i>
Group Art Unit	3721
Examiner Name	To Be Assigned
Attorney Docket Number	11867/23

Sheet 1 of 4

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.	Document Number Number - Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages of Relevant Figures Appear
	A1	US-1,829,559	10-27-1931	Gilliam, J.D.	Whole Document
	A2	US-3,258,015	06-28-1966	Ellis <i>et al.</i>	Whole Document
	A3	US-3,349,776	10-31-1967	Bell <i>et al.</i>	Whole Document
	A4	US-3,356,094	12-05-1967	Ellis <i>et al.</i>	Whole Document
	A5	US-3,516,417	06-23-1970	Moses, C.S.	Whole Document
	A6	US-3,614,956	10-26-1971	Thornton, R.E.	Whole Document
	A7	US-3,736,941	06-05-1973	Molins <i>et al.</i>	Whole Document
	A8	US-3,878,850	04-22-1975	Gibson <i>et al.</i>	Whole Document
	A9	US-3,910,287	10-07-1975	Walton, R.R.	Whole Document
	A10	US-3,957,062	05-18-1976	Labbe <i>et al.</i>	Whole Document
	A11	US-3,987,804	10-26-1976	Molins <i>et al.</i>	Whole Document
	A12	US-4,219,031	08-26-1980	Rainer <i>et al.</i>	Whole Document
	A13	US-4,207,906	06-17-1980	Seehofer <i>et al.</i>	Whole Document
	A14	US-4,340,072	07-20-1982	Bolt <i>et al.</i>	Whole Document
	A15	US-4,347,855	09-07-1982	Lanzillotti <i>et al.</i>	Whole Document
	A16	US-4,580,579	04-08-1986	Wahle <i>et al.</i>	Whole Document
	A17	US-4,593,704	06-10-1986	Wahle <i>et al.</i>	Whole Document
	A18	US-4,632,130	12-30-1986	Heitmann <i>et al.</i>	Whole Document
	A19	US-4,714,082	12-22-1987	Banerjee <i>et al.</i>	Whole Document
	A20	US-4,716,913	01-05-1988	Brackmann, W.A.	Whole Document
	A21	US-4,727,888	03-01-1988	Luke, J.A.	Whole Document
	A22	US-4,736,754	04-12-1988	Heitmann <i>et al.</i>	Whole Document
	A23	US-4,771,795	09-20-1988	White <i>et al.</i>	Whole Document
	A24	US-4,793,365	12-27-1988	Sensabaugh, Jr. <i>et al.</i>	Whole Document
	A25	US-4,836,224	06-06-1989	Lawson <i>et al.</i>	Whole Document

Examiner Signature		Date Considered	
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\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute for form 1449/PTO (Revised 04/2003)  <b>INFORMATION DISCLOSURE          STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
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				First Named Inventor	Borschke <i>et al.</i>
				Group Art Unit	3721
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Sheet	2	of	4	Attorney Docket Number	11867/23

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	A26	US-4,874,004	10-17-1989	Borowski <i>et al.</i>	Whole Document
	A27	US-4,878,507	11-07-1989	Case <i>et al.</i>	Whole Document
	A28	US-4,911,184	03-27-1990	Case <i>et al.</i>	Whole Document
	A29	US-4,917,121	04-17-1990	Riehl <i>et al.</i>	Whole Document
	A30	US-4,917,128	04-17-1990	Clearman <i>et al.</i>	Whole Document
	A31	US-4,924,886	05-15-1990	Litzinger, E.F.	Whole Document
	A32	US-4,961,438	10-09-1990	Korte, S.J.	Whole Document
	A33	US-4,966,171	10-30-1990	Serrano <i>et al.</i>	Whole Document
	A34	US-4,981,522	01-01-1991	Nichols <i>et al.</i>	Whole Document
	A35	US-4,986,287	01-22-1991	Schneider <i>et al.</i>	Whole Document
	A36	US-5,033,483	07-23-1991	Clearman <i>et al.</i>	Whole Document
	A37	US-5,065,776	11-19-1991	Lawson <i>et al.</i>	Whole Document
	A38	US-5,074,321	12-24-1991	Gentry <i>et al.</i>	Whole Document
	A39	US-5,099,861	03-31-1992	Clearman <i>et al.</i>	Whole Document
	A40	US-5,101,839	04-07-1992	Jakob <i>et al.</i>	Whole Document
	A41	US-5,105,835	04-21-1992	Drewett <i>et al.</i>	Whole Document
	A42	US-5,105,836	04-21-1992	Gentry <i>et al.</i>	Whole Document
	A43	US-5,105,838	04-21-1992	White <i>et al.</i>	Whole Document
	A44	US-5,129,408	07-14-1992	Jakob <i>et al.</i>	Whole Document
	A45	US-5,137,034	08-11-1992	Perfetti <i>et al.</i>	Whole Document
	A46	US-5,159,940	11-03-1992	Hayward <i>et al.</i>	Whole Document
	A47	US-5,178,167	01-12-1993	Riggs <i>et al.</i>	Whole Document
	A48	US-5,183,062	02-02-1993	Clearman <i>et al.</i>	Whole Document
	A49	US-5,211,684	05-18-1993	Shannon <i>et al.</i>	Whole Document
	A50	US-5,271,419	12-23-1993	Arzonico <i>et al.</i>	Whole Document

Examiner Signature		Date Considered	
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U. S. PATENT DOCUMENTS					
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	A51	US-5,327,917	07-12-1994	Lekwauwa <i>et al.</i>	Whole Document
	A52	US-5,345,951	09-13-1994	Serrano <i>et al.</i>	Whole Document
	A53	US-5,598,868	02-04-1997	Jakob <i>et al.</i>	Whole Document
	A54	US-5,715,844	02-10-1998	Young <i>et al.</i>	Whole Document
	A55	US-5,819,751	10-13-1998	Barnes <i>et al.</i>	Whole Document
	A56	US-6,095,153	08-01-2000	Kessler <i>et al.</i>	Whole Document
	A57	US-6,202,648 B1	03-20-2001	Schumacher <i>et al.</i>	Whole Document
	A58	US-6,257,243 B1	07-10-2001	Müller <i>et al.</i>	Whole Document
	A59	US-6,367,481 B1	04-09-2002	Nichols <i>et al.</i>	Whole Document
	A60	US-6,397,852 B1	06-04-2002	McAdam, K.G.	Whole Document
	A61	US-6,578,584 B1	06-17-2003	Beven <i>et al.</i>	Whole Document
	A62	US-App. 2004/0025894	02-12-2004	Beven <i>et al.</i>	Whole Document

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No.	Foreign Patent Document Country Code - Number Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	English Language Translation Attached
	A63	GB 2 070 409 A	09-09-1981	British-American Tobacco Company Limited	Whole Document	
	A64	WO 98/16125	04-23-1998	Rothmans, Benson & Hedges, Inc.	Whole Document	
	A65	WO 98/57556	12-23-1998	British American Tobacco Investments Limited	Whole Document	
	A66	WO 03/092416 A1	11-13-2003	British American Tobacco (Investments) Limited	Whole Document	

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				Group Art Unit	3721
				Examiner Name	To Be Assigned
Sheet	4	of	4	Attorney Docket Number	11867/23

OTHER DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog etc.), date, page(s) , volume-issue number(s), publisher, city and/or country where published.	English Language Translation Attached
	A67	<i>Chemical and Biological Studies on New Cigarette Prototypes that Heat Instead of Burn Tobacco</i> , R. J. Reynolds Tobacco Company Monograph, 1988. pp. 24-72.	
	A68	GARDNER, <i>et al. (Eds.)</i> , <i>Inhalation Toxicology</i> , 2000, Vol. 12, No. 5, pp. 1-9.	
	A69	LIU, <i>et al.</i> , "Potassium organic salts as burn additives in cigarettes"; <i>Beiträge zur Tabakforschung/International Contributions to Tobacco Research</i> , 2003, Vol. 20, No. 5, pp. 341-47.	
	A70	MATTINA, "Altering the combustion of tobacco through the addition of alkali metal carboxylate salts"; <i>39<sup>th</sup> Tobacco Chemists' Research Conference in Montreal, Quebec, Canada</i> , Oct. 3, 1985.	

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